

**MINUTES OF THE  
VINEYARD TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
June 8, 2011, 7:03 PM**

**PRESENT:**

Mayor Randy Farnworth  
Councilmember Sean Fernandez  
Councilmember Norm Holdaway  
Councilmember Nathan Riley

**ABSENT:**

Councilmember Jeff Gillespie

**Staff Present:** Attorney David Church, Water Operator Sullivan Love, Associate Deputy Recorder Melinda Manley, Engineer Don Overson, Town Clerk/Recorder Dan Wright, Deputy Treasurer Kelly Boren

**Others Present:** Jerry Grover and Stewart Park of Anderson Geneva Development

The Vineyard Town Council held a regular meeting on June 8, 2011 starting at 7:03 PM in the Vineyard Town hall. The prayer was offered by Councilmember Norm Holdaway.

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***Regular Session; 7:03 PM***

***Minutes Review and Approval***

COUNCILMEMBER RILEY MOVED TO APPROVE THE MINUTES OF MARCH 23, 2011 AND MAY 11, 2011. MAYOR FARNWORTH SECONDED THE MOTION. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

***Planning Commission Update***

No Planning Commission update was presented at this meeting.

***Staff Reports***

Engineer Don Overson reported that 575 South was projected to be opened as an alternative access into the town on approximately June 23, 2011. Mr. Overson is currently awaiting bids from Kiewit for the cost of the water line which will be installed.

Attorney David Church reported that he and Building Official, Doug Bezzant attended a federal court hearing on Thursday by invitation. At the hearing, attorneys representing Parish Chemicals agreed to consent and not object to the permanent injunction stating that Parish Chemicals is not financially capable of complying with requirements of the court. The attorneys requested that the judge allow additional time to negotiate three contracts which will outline the terms of operation. The attorneys indicated to the court that the company would agree to terms which would prohibit creation of any additional hazardous waste. The Judge directed the attorneys

to negotiate the terms of the agreement, and an order was issued preventing Parish Chemicals from operating in violation of environmental laws. Mayor Farnworth observed that there had been some public perception that the town had shut down Parish Chemical, but noted that this was not the case. He explained that the town was not able to issue a business license due to the fact that the company was not operating in compliance with applicable environmental laws.

Mayor Farnworth reported that demolition was recently completed on the Gammon Home. Water Operator Sullivan Love reported that the third round of lead and copper samples would be completed on the water system in the coming months. He explained that the frequency of testing and monitoring of water quality would be reduced after three years of sampling.

***COMPENSATION FOR THE TOWN CLERK/RECORDER, DEPUTY RECORDER, ASSOCIATE DEPUTY RECORDER AND DEPUTY TREASURER***

MAYOR FARNWORTH OPENED THE PUBLIC HEARING AT 7:15 P.M. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Mayor Farnworth called for public comment. There was no public comment.

COUNCILMEMBER FERNANDEZ MOVED TO CLOSE THE PUBLIC HEARING AT 7:15 P.M. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Mayor Randy Farnworth excused Councilmember Jeff Gillespie from the meeting. He explained that the Council is considering a proposed 2.5% compensation increase for the Town Clerk/Recorder, Deputy Recorder, Associate Deputy Recorder and Deputy Treasurer. Town Clerk Recorder Dan Wright said there had been approximately 30 applicants for a new Deputy Recorder position and Deputy Recorder Heather White had made a request to have her hours reduced. Mayor Farnworth requested that Ms. White continue to work coordinating the Geneva Road project. Councilmember Riley stated that it was his understanding that hiring would take place to fill the remaining hours which Ms. White will no longer work on her reduced schedule. Mayor Farnworth felt that it may be beneficial to have Ms. White continue to work with the RDA.

The Council discussed specific proposed wage increases as follows: Town Clerk/Recorder increase from \$39,900 to \$40,898 annually, Deputy Recorder increase from \$14.70 per hour to \$16 per hour, Associate Deputy Recorder increase from \$14 per hour to \$14.35 per hour, Deputy Treasurer increase from \$14 per hour to \$15 per hour. Mr. Wright explained that the proposed pay increases are based on multiple factors, including work load of the respective positions.

COUNCILMEMBER RILEY MOVED TO APPROVE RESOLUTION 2011-02, 2011-03 2011-04 and 2011-05 AS PREPARED AND PRESENTED TO THE COUNCIL. COUNCILMEMBER FERNANDEZ SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Ms. Manley left the meeting at this time. Ms. Boren assumed minute taking duties for the remainder of the meeting.

### ***2010 - 2011 FISCAL YEAR BUDGET AMENDMENT***

COUNCILMEMBER RILEY OPENED PUBLIC HEARING AT 7:19 P.M. COUNCILMEMBER FERNANDEZ SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Mayor Farnworth called for public comment. There was no public comment.

COUNCILMEMBER RILEY CLOSED PUBLIC HEARING AT 7:20 P.M. COUNCILMEMBER FERNANDEZ SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Town Clerk/Recorder, Dan Wright, reviewed proposed budget amendments. Mr. Wright began with General Fund revenue amendments, including tax revenue, license and permit fees, intergovernmental revenue, charges for service, contributions and transfers, and miscellaneous revenue. The Council was provided with a detail of amendments, with 2010-2011 budgeted amounts handwritten and amended amounts typed. Total General Fund revenues for the 2010-2011 Fiscal Year budget were amended from \$579,899 to \$742,227.

Mr. Wright went on to review General Fund expenditures. Councilmember Riley noted an increase in expenditures for professional services from \$147,300 to \$238,948. Mr. Wright explained that the cost of engineering services increased during the year due to necessary engineering services relative to the RDA and the Geneva Road project. Mayor Farnworth confirmed that the cost increase from the approved budget was primarily due to engineering costs.

COUNCILMEMBER RILEY MOVED TO ADOPT RESOLUTION 2011-06 AMENDING THE 2010 - 2011 FISCAL YEAR BUDGET. MAYOR FARNWORTH SECONDED THE MOTION. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

### ***2011 - 2012 FISCAL YEAR BUDGET***

COUNCILMEMBER FERNANDEZ MOVED TO OPEN THE PUBLIC HEARING AT 7:33P.M. COUNCILMEMBER RILEY SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Mayor Farnworth called for public comment. Ed Grampp of Anderson Geneva Development presented a letter to the Council requesting that an Economic Development Director position be included in the 2011-2012 budget. Attorney David Church explained that the requested position is not included in the budget at this time due to lack of projected revenue. Mr. Wright explained that if the position is created in the future, the duties of the job would primarily focus on development of the Geneva Steel property. He also explained that the property tax certified tax rate will be presented for approval at the June 21, 2011 Town Council meeting.

COUNCILMEMBER RILEY MOVED TO CLOSE THE PUBLIC HEARING AT 7:48 P.M. COUNCILMEMBER FERNANDEZ SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

Mr. Wright began with a review of adjustments made to the proposed 2011-2012 budget. Mr. Church explained that the certified tax rate which the Council will review prior to final approval of the budget will likely represent an increase in property tax revenue from the previous year. He explained that the Council has the option to leave the certified tax rate at the current level without the certified tax rate increase. However, the creation of the RDA will result in a reduction of approximately \$120,000 in property tax revenue to the City in the 2011-2012 fiscal year based in the current certified tax rate.

Following further discussion, the Council agreed that it would be beneficial to continue the Public Hearing and discussion of the final budget to the June 21, 2011 meeting.

COUNCILMEMBER HOLDAWAY MOVED TO CONTINUE THE PUBLIC HEARING TO THE MEETING OF JUNE 21, 2011. COUNCILMEMBER FERNANDEZ SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

### ***OREM/VINEYARD WATER AGREEMENT***

Mr. Church reported that the City of Orem did not include all changes to the agreement which had been discussed and agreed to. He explained that CUP water could now be used on a larger portion of the Anderson Geneva property. The Town has agreed to purchase 100 acre foot blocks after the purchase of the initial 500 acre foot blocks as development occurs and additional water becomes necessary. Payment can be delayed until after the third take of water when expansion of the water system requires construction of a master meter station. Mr. Church recommended adoption of the agreement, noting that it is more beneficial to the town than the existing agreement.

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE OREM/VINEYARD WATER AGREEMENT. COUNCILMEMBER RILEY SECONDED. ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

***DEVELOPMENT AGREEMENT FOR THE PAYMENT OF CENTRAL UTAH WATER CONSERVANCY DISTRICT WATER FOR THE EASTLAKE AT GENEVA INDUSTRIAL BUSINESS PARK PHASES 1 AND 4***

Mr. Church explained that it will be necessary for the Town to secure a minimum of 15 acre feet in water rights, and as much as 17 acre feet. The initial cost of 15 acre will feet will be approximately \$87,000 to be paid by Anderson Geneva Development prior to June 30, 2011. The cost of the additional two acre feet, \$15,600, will be paid to the Town by the developer prior to June 30, 2012. New residential or commercial development will be assessed an impact fee with impact fee revenues being used to purchase additional water in the future which becomes necessary as development occurs. Mr. Church explained that due to cash flow issues, Anderson Geneva has requested that the Town make the initial payment, with the developer reimbursing the Town at such time as Lindon City pays the developer a credit which is defined in a Development Agreement. Lindon City has indicated that the credit check will be issued on July 1, 2011. Revenues from the credit will be used by the developer to repay the Town.

COUNCILMEMBER FERNANDEZ MOVED TO AUTHORIZE MAYOR FARNWORTH TO SIGN THE DEVELOPMENT AGREEMENT FOR THE PAYMENT OF CENTRAL UTAH WATER CONSERVANCY DISTRICT WATER FOR THE EASTLAKE AT GENEVA INDUSTRIAL BUSINESS PARK PHASES 1 AND EASTLAKE AT GENEVA BUSINESS PARK PHASE 4. COUNCILMEMBER RILEY SECONDED THE MOTION ALL WERE IN FAVOR. NONE WERE OPPOSED. COUNCILMEMBER GILLESPIE WAS ABSENT FROM THE MOTION. THE MOTION CARRIED.

***Open Session –***

Mayor Farnworth called for comments from any audience member. There was no public comment.

***Councilmember Reports –***

Councilmember Riley requested that a follow-up letter be sent to the business responsible for lawn mowing at the church property to clarify the location of the property line. Mr. Church suggested that it may be preferable to send a thank you note which includes a clarification of the property line and the area which needs to be mowed.

Mayor Farnworth expressed concern regarding an open septic tank located at a home in Vineyard. Mayor Farnworth stated that he has spoken with the property owner about his concerns. Mr. Church suggested that the issue be reported to the Utah County Health Department for follow up. Councilmember Riley felt that a letter should be sent by the City notifying the property owners that it will be necessary for the situation to be corrected or the property vacated. Mr. Church felt that the issue should be addressed by the Health Department rather than the City. He will contact the Health Department and notify them of the situation.

Councilmember Fernandez reported on the Timpanogos Special Service District (TSSD) Board meeting he recently attended. TSSD is currently discussing the possibility of a joint project

with Central Utah Water Conservancy District to install additional infrastructure in the American Fork area.

Councilmember Fernandez asked how everyone felt about the IPAD's discussed in the last Council meeting. Mr. Wright reviewed the cost of using IPAD devices during Town Council meetings, including purchase of the devices, installation of 3G capable wifi and monthly data fees. Councilmember Riley felt that it would be beneficial to move to digital technology rather than continuing to use paper packets. Mr. Church expressed concern regarding personal use of the devices, and suggested some type of depreciation which would allow Councilmembers to purchase the device at the end of their term and a new device to be purchased for incoming Councilmembers.

### ***Mayor's Report***

Mayor Farnworth reported on the progress of the ongoing North Point Solid Waste Special Service District contract discussion. He also reported that the Utah Lake Commission will not hold meetings during the summer months.

Councilmember Riley expressed concern regarding the impact of rising waters in Utah Lake on the drainage pipe and outfall line. Mr. Overson explained that the level of the lake will remain at the same elevation as the lake, and that the system is designed to accommodate water going above the outlet structure.

### ***ADJOURNMENT***

The meeting adjourned at 8:32 p.m. The next Council meeting will be a regular Town Council meeting held on June 21, 2011.

**MINUTES APPROVED ON \_\_\_\_\_**

**CERTIFIED CORRECT BY \_\_\_\_\_**  
**K. BOREN, DEPUTY TREASURER**